

Remarks

Claims 18 - 45 are pending in the application and are rejected. Claims 40 and 41 are objected to.

Objections to the claims

Withdrawal of the objections to claims 40 and 41 is respectfully requested in view of the amendments thereto set forth above.

Claim rejections

Section 102

Claims 18, 24, 29, 34 and 39 were rejected under 35 USC 102(b) as being anticipated by Pershan (US 5,260,986). (It is noted that the rejection refers to "Amin"; however, the references nos., e.g., ref. no. 30 in FIG. 1 and ref. nos. 164, 182 in FIG. 3 correspond to Pershan. Therefore, it is assumed that "Amin" is an error and that "Pershan" is intended.) The Applicant respectfully traverses. Pershan cannot support the asserted rejection for at least the reason that Pershan does not disclose a mobile switching center or station, or mobile network interface, capable of receiving messages as recited in the independent claims. Instead, Pershan shows a central office 10 of a PSTN. A "coordinator" dials into the central office and generates a list of people to be notified of a common message. This central office is part of land-based system, not a mobile system. See, e.g., col. 5, lines 38-45. Since under § 102 a prior art reference must identically disclosed all the elements of a claimed invention, withdrawal of the rejection of claims 18, 24, 29, 34 and 39 as being anticipated by Pershan is respectfully requested.

Claims 18, 19, 24, 25, 29, 30, 34, 35, 39 and 40 were rejected under 35 USC 102(e) as being anticipated by Amin (US 6,014,559).

The Applicant respectfully traverses. Amin does not support the asserted rejection for at least the reason that Amin does not disclose receiving requests to leave messages or store messages in a mailbox for a landline communication device as recited in independent claims 18, 24, 29 and 34. The Examiner equates element 19 of

Amin with the claimed landline communication device. However, there is no disclosure in Amin of leaving messages for "subscriber station telephone set 19."

Moreover, Amin does not support the asserted rejection of claim 39 for at least the reason that Amin does not disclose a second telephone number as claimed. Note is taken of the Examiner's comments in the "Response to Arguments" in connection with this. However, what Amin discloses is that when the mobile station is at home, a voice mail notification is sent to it via the private base station. See Amin at col. 6, lines 30-34. There is no separate "notification" to the private base station.

In view of the foregoing, withdrawal of the rejection of claims 18, 19, 24, 25, 29, 30, 34, 35, 39 and 40 as anticipated by Amin is respectfully requested.

Section 103

Claims 20-23, 26-28, 31-33, 36-38 and 41-43 were rejected under 35 USC 103(a) as being unpatentable over Pepe *et al.* (US 5,742,905) ("Pepe") in view of Jain (US 6,085,101).

Claims 18, 24, 29, 34 and 39 were not explicitly rejected, but it appears that there are comments addressed to these claims based on the Pepe and Jain references. Accordingly, claims 18, 24, 29, 34 and 39 will also be discussed in view of Pepe and Jain.

Claims 18, 24, 29, 34 and 39 are patentable over Pepe and Jain for at least the reason that, as observed by the Examiner, Pepe and Jain do not suggest transmitting a message waiting indication to both a wireless device and a landline communication device as recited in claims 18, 24, 29 and 34, or to first and second communication devices as recited in claim 39.

Note is taken of the passage of Pepe cited by the Examiner, i.e., col. 6, lines 11-22. However, here Pepe is describing re-muting of a message when the message cannot be received by a wireless device. Further, the Applicant respectfully disagrees that the indiscriminate "multicasting" as disclosed in Jain suggests the targeted approach of the present invention as claimed, which calls for a wireless device and a landline communication device to both be associated with a mailbox.

Accordingly, independent claims 18, 24, 29, 34 and 39 are allowable over Pepe and Jain. Dependent claims 20-23, 26-28, 31-33, 36-38 and 41-43 are therefore likewise allowable for at least the above reasons. Withdrawal of the rejection of claims 20-23, 26-28, 31-33, 36-38 and 41-43 (and also of claims 18, 24, 29, 34 and 39 assuming they were rejected) as unpatentable over Pepe and Jain is therefore respectfully requested.

Claims 20-23, 26-28, 31-33, 36-38 and 41-43 were further rejected under 35 USC 103(a) as being unpatentable over Pepe in view of Jain and further in view of Bartholomew *et al.* (US 6,215,858) ("Bartholomew"). However, claims 20-23, 26-28, 31-33, 36-38 and 41-43 are allowable over Pepe and Jain, and Bartholomew does not cure the deficiencies in these noted above. Withdrawal of the rejection of claims 20-23, 26-28, 31-33, 36-38 and 41-43 as being unpatentable over Pepe, Jain and Bartholomew is therefore respectfully requested.

Claims 44 and 45 were rejected under 35 USC 103(a) as being unpatentable over Pepe in view of Jain in view of Blair *et al.* (US 4,964,156) ("Blair"). Claims 44 and 45 depend on claim 18 and 24 respectively, which are allowable over Pepe and Jain as discussed above. Blair does not cure the deficiencies in these noted above. Withdrawal of the rejection of claims 44 and 45 as being unpatentable over Pepe, Jain and Blair is therefore respectfully requested.

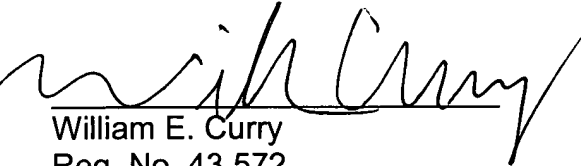
Conclusion

In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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By: 
William E. Curry
Reg. No. 43,572

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201